

Amendment No. 2 to SB0831

Niceley
Signature of Sponsor

AMEND Senate Bill No. 831

House Bill No. 830*

by inserting the following into § 47-18-3101 in SECTION 1 as a new subdivision (2) and renumbering the existing subdivisions accordingly:

(2) "Clear title" means legal ownership free from a perfected security interest or other perfected lien;

AND FURTHER AMEND by deleting § 47-18-3101(7) in SECTION 1 and substituting:

(7) "Farm machinery":

(A) Means self-propelled equipment or machinery primarily designed and used for agricultural purposes purchased or leased by a consumer for the first time from a manufacturer, distributor, or authorized dealer; and

(B) Does not include an off-highway vehicle as defined in § 55-8-101(12) and (13), an all-terrain vehicle as defined in § 55-8-101(1), lawn tractors, or lawn mowers;

AND FURTHER AMEND by deleting § 47-18-3102(b) in SECTION 1 and substituting:

(b) The consumer shall furnish possession of the nonconforming farm machinery to the manufacturer, distributor, or authorized dealer at the time of a refund or replacement. If a refund is made, then the refund must be made to the consumer, and lien holder or holder of a security interest, if any, as their interest may appear. If a replacement is made, then a consumer, lien holder, or lessor shall furnish clear title to, and possession of, the farm machinery to the manufacturer, distributor, or authorized dealer.